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15 **Attorneys for Plaintiff Allen M. Metzger**

16 **UNITED STATES DISTRICT COURT**
17 **NORTHERN DISTRICT OF CALIFORNIA**

18 JOSEPH LEONE, individually and on behalf
19 all others similarly situated,

20 Plaintiff,

21 v.

22 S. TREZEVANT MOORE, JR.,
23 CHRISTOPHER J. ZYDA, ELEANOR
24 CORNFELD MELTON, RONALD VIERA,
DIMITRIOS PAPATHEOHARIS AND
LUMINENT MORTGAGE CAPITAL, INC.,

25 Defendants

No. C-07-04073-JCS

CLASS ACTION

**[PROPOSED] ORDER GRANTING
ADMINISTRATIVE MOTION TO
RELATE CASES PURSUANT TO L.R. 3-12
AND 7-11**

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27 *Caption continues on following page.*
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[C-07-04686-MHP] [PROP] ORDER GRANTING ADMIN MTN
TO CONSIDER WHETHER CASES SHOULD BE RELATED

1 ALLEN M. METZGER, on behalf of himself
2 and all others similarly situated,

3 Plaintiff,

4 v.

5 LUMINENT MORTGAGE CAPITAL, INC.,
6 GAIL P. SENECA, SEWELL TREZEVANT
7 MOORE, JR., and CHRISTOPHER J. ZYDA,

8 Defendants.

No. C-07-04686-MHP

CLASS ACTION

9 Upon consideration of the administrative motion to consider whether cases should be
10 related,

11 **IT IS HEREBY ORDERED THAT:**

12 1. The proposed class actions *Leone v. Moore, et al.*, Case No. C-07-04073-JCS;
13 *Rosenbaum Capital LLC v. Luminent Mortgage Capital, Inc., et al.*, Case No. C-07-04096-SI;
14 *Howard J. Kaplowitz IRA v. Luminent Mortgage Capital, Inc., et al.*, Case No. C-07-04140-PJH;
15 *Greenberg v. Luminent Mortgage Capital, Inc., et al.*, Case No. C-07-04141-SBA; *PEM Resources*
16 *LP v. Luminent Mortgage Capital, Inc., et al.*, Case No. C-07-04184-WHA; and *Metzger v.*
17 *Luminent Mortgage Capital, Inc., et al.*, Case No. C-07-04686-MHP, are related actions because
18 they concern substantially the same parties, transactions, property or events.

19 2. Further, it appears likely that there would be an unduly burdensome duplication of
20 labor, expense and/or conflicting results if the cases were to proceed before different judges.

21 3. Therefore, because the *Leone, Rosenbaum, Kaplowitz, Greenberg, PEM* and
22 *Metzger* actions are related, they are reassigned to me.

23
24 Dated: _____

25 HONORABLE JOSEPH C. SPERO
26 UNITED STATES DISTRICT COURT JUDGE
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